

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ROBERT WILLIAMS, )  
)  
Plaintiff, )  
)  
vs. )  
)  
CITY OF SPARKS, et al., )  
)  
Defendants. )  
\_\_\_\_\_ )

3:14-CV-0174-VPC

**MINUTES OF THE COURT**

June 26, 2015

FILED JUN 26 2015 CLERK US DISTRICT COURT DISTRICT OF NEVADA	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
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PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGEDEPUTY CLERK: LISA MANN REPORTER: NONE APPEARINGCOUNSEL FOR PLAINTIFF(S): NONE APPEARINGCOUNSEL FOR DEFENDANT(S): NONE APPEARING**MINUTE ORDER IN CHAMBERS:**

Plaintiff's motion for subpoena *duces tecum* (#40) is **DENIED**.

Even assuming *arguendo* that plaintiff's subpoena would lead to the discovery of admissible evidence, the request is denied. Plaintiff is proceeding in this action *in forma pauperis* (#10). In the order granting *in forma pauperis* status, plaintiff was advised that the order did "not extend to the issuance and service of subpoenas at government expense." *Id.* Local Special Rule 1-8. Witness fees are not costs the court will bear on behalf of an indigent litigant. *Dixon v. Ylst*, 990 F.2d 478, 480 (9<sup>th</sup> Cir. 1992). Moreover, the U.S. Marshal does not serve subpoenas in civil cases, even if payment is made. Therefore, plaintiff would be responsible for making all arrangements for service, the expense of service, and the witness fee. *See* Fed.R.Civ.P. 45; *Tedder v. Odel*, 890 F.2d 210, 211-12 (9<sup>th</sup> Cir. 1989) (per curiam) (28 U.S.C. § 1915 does not entitle a plaintiff proceeding in forma pauperis to a waiver of witness fees for subpoenas).

**IT IS SO ORDERED.**

LANCE S. WILSON, CLERK

By: \_\_\_\_\_ /s/  
Deputy Clerk